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Attorneys for Defendants Motherless, Inc.,  
and Joshua Lange

**UNITED STATES DISTRICT COURT**  
**CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION**

VENTURA CONTENT, LTD., an  
Anguilla corporation,

Plaintiff,

vs.

MOTHERLESS, INC., a New York  
corporation; JOSHUA LANGE, an  
individual; and DOES 1-20, inclusive,

Defendants.

Case No. CV11-5912 SVW (FMOx)

**DEFENDANTS' TRIAL WITNESS  
LIST**

Action Filed: 7/9/11  
PTC Date: 10/29/12 (3:00 p.m.)  
Trial Date: 11/6/12 (9:00 a.m.)

Defendants Motherless, Inc., and Joshua Lange ("Defendants") hereby submit  
the following list of trial witnesses, other than those to be used solely for  
impeachment, and subject to the results of the five motions in limine and motion for  
separate trials filed by Defendants:

1. Defendant Joshua Lange, the sole owner, officer and employee of  
Motherless, Inc. ("Motherless"). In general, Mr. Lange will testify about  
Motherless' formation, organization, background and history, (b) his background  
and history, (c) the hardware and software developed for and used by  
motherless.com, (d) the operation, functions and features of motherless.com, (e) the  
facts showing that Defendants did not commit either direct or secondary  
infringement of Plaintiff Ventura Content Ltd.'s ("Plaintiff") 19 films identified in

1 the Complaint ("19 Films"), (f) the facts showing that the 17 U.S.C. § 512(c) safe  
2 harbor applies to Defendants, (g) the facts showing that Defendants' alleged  
3 infringement of the 19 Films was innocent rather than willful, (h) the facts showing  
4 that the amount of statutory damages to be awarded (if any) should be minimal, (i)  
5 the facts showing that Defendants are not secondary producers under 18 U.S.C. §  
6 2257, (j) Defendants' financial condition, and (k) all matters raised by Plaintiff  
7 during its examination of Mr. Lange.

8       2. Robert Straussburg, the Lead System Administrator for  
9 Motherless.com. In general, Mr. Straussburg will testify (whether by deposition or  
10 otherwise) about (a) the hardware developed for and used by motherless.com, (b)  
11 the operation, functions and features of motherless.com, (c) his use of and  
12 experience with motherless.com and its functions and features, and (d) all matters  
13 raised by Plaintiff during its examination of Mr. Straussburg.

14       3. Sean Hickey, the Lead Software Developer for Motherless.com. In  
15 general, Mr. Hickey will testify (whether by deposition or otherwise) about (a) the  
16 software programs developed for and used by motherless.com, (b) the operation,  
17 functions and features of motherless.com, (b) his use of and experience with  
18 motherless.com and its functions and features, and (d) all matters raised by Plaintiff  
19 during its examination of Mr. Hickey.

20       4. Robert Rich, the accountant for Defendants. In general, Mr. Rich will  
21 testify about (a) Motherless' organization, background and history, (b) Defendants'  
22 financial condition, and (c) all matters raised by Plaintiff during its examination of  
23 Mr. Rich.

24       5. Brian Hoffpauir, one of the members of motherless.com who uploaded  
25 some of the 33 videos that allegedly infringe some of Plaintiff's 19 Films. In  
26 general, Mr. Hoffpauir will testify about (a) his background and history, (b) his use  
27 of and experience with motherless.com and its features, (c) the substance and  
28 mechanisms of uploading files in general, and the allegedly infringing videos in

1 particular, onto motherless.com, (d) his interaction and communications with  
2 motherless.com and other members, and (e) all matters raised by Plaintiff during its  
3 examination of Mr. Hoffpauir.

4 6. Barbara Luna, Defendants' damages expert. In general, Ms. Luna will  
5 testify about (a) the facts and opinions set forth in her expert report on the issue of  
6 damages, and (b) all matters raised by Plaintiff during its examination of Ms. Luna.

7 7. Allison Vivas, the President and Manager of Tekco Management  
8 Group LLC ("Tekco"), the entity that operates Plaintiff. In general, Ms. Vivas will  
9 testify about (a) Plaintiff's background, history, and operations, (b) the background,  
10 history, organization and operations of all related entities, including Tekco and  
11 DMCA Force, (c) Plaintiff's activities in the adult entertainment industry, (d) other  
12 copyright infringement litigation filed by Plaintiff, (e) the substance of the 19 Films,  
13 (f) Plaintiff's production, sale, marketing, promotion and display of the 19 Films,  
14 including the use of titles, credits, watermarks, copyrights, and trademarks, (g) the  
15 copyright registrations for the 19 Films, (h) the hardware and software developed  
16 for and used by Plaintiff's "Pink Visual" and other websites, (i) the operation and  
17 functions of the "Pink Visual" and other websites, (j) Plaintiff's advertising, (k)  
18 Plaintiff's knowledge of and experience with Defendants, motherless.com, and other  
19 websites, (l) Plaintiff's monitoring of websites, (m) Plaintiff's discovery of the 33  
20 Videos on motherless.com, (n) Plaintiff's communications (or lack thereof) with  
21 Defendants, including DMCA take-down notices, (o) Plaintiff's financial condition,  
22 and (p) all matters raised by Plaintiff during its examination of Ms. Vivas.

23 8. Jessica Pena, one of the in-house attorneys for Tekco. In general, Ms.  
24 Pena will testify about (a) Plaintiff's background, history, and operations, (b) the  
25 background, history, organization and operations of all related entities, including  
26 Tekco and DMCA Force, (c) Plaintiff's activities in the adult entertainment  
27 industry, (d) other copyright infringement litigation filed by Plaintiff, (e) the  
28 substance of the 19 Films, (f) Plaintiff's production, sale, marketing, promotion and

1 display of the 19 Films, including the use of titles, credits, watermarks, copyrights,  
2 and trademarks, (g) the copyright registrations for the 19 Films, (h) the hardware  
3 and software developed for and used by Plaintiff's "Pink Visual" and other  
4 websites, (i) the operation and functions of the "Pink Visual" and other websites, (j)  
5 Plaintiff's advertising, (k) Plaintiff's knowledge of and experience with Defendants,  
6 motherless.com, and other websites, (l) Plaintiff's monitoring of websites, (m)  
7 Plaintiff's discovery of the 33 Videos on motherless.com, (n) Plaintiff's  
8 communications (or lack thereof) with Defendants, including DMCA take-down  
9 notices, (o) Plaintiff's financial condition, and (p) all matters raised by Plaintiff  
10 during its examination of Ms. Pena.

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12 DATED: October 8, 2012      THEODORA ORINGER PC

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14 By: /s/ David S. Richman

15 David S. Richman  
16 Attorneys for Defendants Motherless, Inc., and  
Joshua Lange

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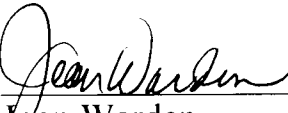
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**PROOF OF SERVICE**

I certify that on the 8th day of October, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel who have provided email addresses.

By:   
Joan Warden